

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHEILA GUINN,

Plaintiff,

v.

SEIU HEALTHCARE MICHIGAN,

Defendant.

Case No. 14-10135

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Sheila Guinn recently filed a three-count complaint in this court alleging the following causes of action: Count I, violations of the Americans with Disabilities Act; Count II, violations of Michigan's Persons with Disabilities Civil Rights Act; and Count III, violations of the Family and Medical Leave Act.

Although Plaintiff's causes of action arising under federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. Since the parties to this action are not diverse, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claim in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Count II is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: March 4, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 4, 2014, using the ECF system.

s/William Barkholz

Case Manager